### DECLARATION FOR PATENT APPLICATION

As a below-named inventor, I hereby aeclare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

#### METHOD FOR DETECTION OF PATHOGENIC MICROORGANISMS

X is a	ttached hereto	•	•
was	s filed on	as Application Serial No	
and	was amended on	, if applicable	
I hereby state that I have reviewed by any amendment referred to all		ntents of the above-identified specification, incl	uding the claims, as amended
I acknowledge the duty to disclo Code of Federal Regulations, Se		material to the examination of this application in	accordance with Title 37,
	v and have also identified	nited States Code, Section 119 of any foreign ap d below any foreign application for patent or inv y is claimed:	
Prior Foreign Application(s)			Priority Claimed
			Yes No
(Number)	(County	y) (Date/Month/Year Filed	
and the national or PCT internat 60/347,806	ional filing date of this a 1/10/02	•	
(Application Serial No.)	(Filing D	<del>-</del>	, abandoned)
(Application Serial No.)	(Filing D	ate) (Status: patented, pending,	, abandoned)
connected herewith: Lynn J. Al Craig G. Cochenour, Reg. No. 3	stadt, Reg. No. 29,362; ( 3,666; Michael L. Dever	his application and to transact all business in the George P. Baier, Reg. No. 26,717; Dennis M. Ca r, Reg. No. 32,216; John E. Grosselin, III, Reg. N and Carla J. Vrsansky, Reg. No. 36,958.	rleton, Reg. No. 40,938;
A 1.1	alls to Michael L.	Dever, Esquire	
Address all telephone c	111111111111111111111111111111111111111		

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor Charles W. Gardner, Jr.	
Inventor's Signature Und hi. Sulv fr	Date 1/9/2003
Residence Gibsonia, Allegheny County, Pennsylvania	Citizenship <u>USA</u>
Post Office Address: 4878 Wickloe Drive, Gibsonia, Pennsylvania 15044	
Full name of second joint inventor John S. Maier	
Inventor's Signature	Date 1 · 9 · 3
Residence Pittsburgh, Allegheny County, Pennsylvania	Citizenship <u>USA</u>
Post Office Address 622 S. Lang Avenue, Pittsburgh, Pennsylvania 15208	·
Full name of third joint inventor Matthew P. Nelson	
Inventor's Signature Mally P. J.	Date
Residence Pittsburgh, Allegheny County, Pennsylvania	Citizenship <u>USA</u>
Post Office Address 3941 Dowling Avenue, Pittsburgh, Pennsylvania 15221	
2 - Constitution of the control of t	
Full name of fourth joint inventor Robert C. Schweitzer	Date 1/9/0 3
Inventor's Signature Kolon C Solwetton	Date
Residence Pittsburgh, Allegheny County, Pennsylvania	Citizenship <u>USA</u>
Post Office Address 245 Knickerbocker Drive, Pittsburgh, Pennsylvania 15235	
	·
	•
Full name of fifth joint inventor Patrick J. Treado	
Inventor's Signature	Date
Residence Pittsburgh, Allegheny County, Pennsylvania	Citizenship <u>USA</u>
Post Office Address 315 S. Lexington Avenue, Pittsburgh, Pennsylvania 15208	
Full name of sixth joint inventor: G. Steven Vanni	
	Date _/- 9-03
Residence Pittsburgh, Allegheny County, Pennsylvania	
•	Citizenship USA
Post Office Address 6336 Marchland Street, Apt. 2, Pittsburgh, Pennsylvania 15206	4312

Full name of seventh joint inventor: Juliane Wolfe Inventor's Signature	1/9/03
Residence Pittsburgh, Allegheny County, Pennsylvania	Citizenship <u>USA</u>
Post Office Address 3070 Texas Avenue, Pittsburgh, Pennsylvania 15216	

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

STAT	EMENT UNDER 37 CFR 3.73(b)
Applicant/Patent Owner: Gardner, Jr., et al.	
Application No./Patent No.: 10/339,807	Filed/Issue Date: 01/10/2003
Entitled: METHOD FOR DETECTION OF PATHO	GENIC MICROORGANISMS
ChemImage, Inc. (Name of Assignee)	, a <u>corporation</u> (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)
states that it is:  1.   the assignee of the entire right, title, and in	iterest; or
2.  an assignee of less than the entire right, tit The extent (by percentage) of its ownershi in the patent application/patent identified above to	p interest is ———— %
A. [r] An assignment from the inventor(s) of the in the United States Patent and Trademark attached.	patent application/patent identified above. The assignment was recorded Office at Reel <u>013760</u> , Frame <u>0530</u> , or for which a copy thereof is
OR	,
B. [ ] A chain of title from the inventor(s), of the p below:	patent application/patent identified above, to the current assignee as shown
	To:
	United States Patent and Trademark Office at, or for which a copy thereof is attached.
2. From:	To:
The document was recorded in the	United States Patent and Trademark Office at
Reel, Frame	, or for which a copy thereof is attached.
3. From:	To: United States Patent and Trademark Office at
	United States Patent and Trademark Office at, or for which a copy thereof is attached.
[ ] Additional documents in the chain of	f title are listed on a supplemental sheet.
[ ] Copies of assignments or other documents in [NOTE: A separate copy (i.e., the original as must be submitted to Assignment Division in recorded in the records of the USPTO. <u>See</u> I	signment document or a true copy of the original document) accordance with 37 CFR Part 3, if the assignment is to be
The undersigned (whose title is supplied below) i	
Date 717-237-5516	Samuel W. Apicelli  Typed by printed hame
<del></del>	Toma W. Juca
Telephone number	Signature
	Attorney Reg. No. 36,427
	Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

JUNE 27, 2003

**PTAS** 

MICHAEL L. DEVER BUCHANAN INGERSOLL, P.C. 301 GRANT STREET, 20TH FLOOR PITTSBURGH, PA 15219 Under Secretary of Commerce For Intellectual Property and Director of the United States Patent and Trademark Office Washington, DC 20231 www.uspto.gov



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RECORDATION DATE: 02/19/2003

REEL/FRAME: 013760/0530

NUMBER OF PAGES: 14

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

GARDNER, CHARLES W. JR.

DOC DATE: 01/09/2003

**ASSIGNOR:** 

MAIER, JOHN S.

DOC DATE: 01/09/2003

ASSIGNOR:

NELSON, MATTHEW P.

DOC DATE: 01/09/2003

ASSIGNOR:

SCHWEITZER, ROBERT C.

DOC DATE: 01/09/2003

ASSIGNOR:

TREADO, PATRICK J.

DOC DATE: 01/14/2003

ASSIGNOR:

VANNI, G. STEVEN

DOC DATE: 01/09/2003

ASSIGNOR:

WOLFE, JULIANE

DOC DATE: 01/09/2003

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ANGIE BEYERL

013760/0530 PAGE 2

ASSIGNEE:

CHEMIMAGE, INC. 7301 PENN AVENUE PITTSBURGH, PENNSYLVANIA 15208

SERIAL NUMBER: 10339807

PATENT NUMBER:

FILING DATE: 01/10/2003

ISSUE DATE:

SHARON LATIMER, EXAMINER ASSIGNMENT DIVISION OFFICE OF PUBLIC RECORDS

° 92-21-2003 FORM PTO-1619A U.S. Department of Commerce Patent and Trademark Office OMB 0651-0027 OFFICE OF PUBLIC RECORDS PATENT 102369674 700 FER 9 AN 9: 01 -19-03 RECORDATION FORM COVER SHEET SECTION PATENTS ONLY TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies) **Submission Type** Conveyance Type x New **Assignment** Security Agreement Resubmission (Non-Recordation) License Change of Name Document ID# Correction of PTO Error Merger Other Reel # Frame # U.S. Government
(For Use ONLY by U.S. Government Agencies) Corrective Document Reel # Frame # **Departmental File Secret File** Conveying Party(ies) Mark if additional names of conveying parties attached Execution Date Month Day Ye Name (line 1) Charles W. Gardner, Jr. 01 09 Name (line 2) Execution Date
Day Year Second Party Month Day Name (line 1) John S. Maier Name (line 2) Receiving Party Mark if additional names of receiving parties attached Name (line 1) ChemImage, Inc. If document to be recorded is an assignment and the Name (line z) receiving party is not domiciled in the United States, an appointment Address (line 1) of a domestic 7301 Penn Avenue representative is attached. (Designation must be a Address (line z) separate document from Assignment.) Address (line 3) Pittsburgh Pennsylvania 15208 **Domestic Representative Name and Address** Enter for the first Receiving Party only.

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FORM PTO Expires 06/30/29 OMB 0651-0027		Page 2	U.S. Department of Commerce Patent and Trademark Office PATENT
	ent Name and Address	Area Code and Telephone Nur	mber 412-562-1637
Name	Michael L. Dever		
Address (line 1)	Buchanan Ingersoll, P.	С.	
Address (line z)	301 Grant Street, 20th	Floor	
	Pittsburgh, PA 15219		
Address (line 4)			
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Name (line 2)					Execution Date	
Name (line 1)	Robert C. Schweitze	r			Month Day Year  01 09 03	
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Name (line 1)	Patrick J. Treado				Month Day Year  01 14 03	
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FORM PTO-16 Expires 06/30/99 OMB 0651-0027	19C RECOR	DATION FORM COVER SHEET CONTINUATION PATENTS ONLY	u.a	S. Department of Commerce tent and Trademark Office PATENT
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Name (line 1) G.	Steven Vanni			01 09 03
Name (line 2)				Execution Date
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#### ASSIGNMENT

WHEREAS, We, Charles W. Gardner, Jr., John S. Maier, Matthew P. Nelson, Robert C. Schweitzer, Patrick J. Treado, G. Steven Vanni and Juliane Wolfe, residing at Allegheny County, Gibsonia, Pennsylvania; Allegheny County, Pittsburgh, Pennsylvania; Allegheny County, Pittsburgh, Pennsylvania; Allegheny County, Pittsburgh, Pennsylvania; Allegheny County, Pittsburgh, Pennsylvania; and Allegheny County, Pittsburgh, Pennsylvania respectively, have invented certain new and useful apparatus, inventions, discoveries and/or improvements disclosed in a U.S. patent application entitled "Method for Detection of Pathogenic Microorganisms" for which an application for United States Letters Patent was executed by us on the date of execution of this Assignment;

AND WHEREAS, ChemImage, Inc., having a place of business at 7301 Penn Avenue, Pittsburgh, Pennsylvania 15208 (hereinafter the "Assignee"), is desirous of acquiring the entire right, title and interest in and to said application and the apparatus, inventions, discoveries, and improvements therein disclosed;

NOW THEREFORE, in consideration of One Dollar (\$1.00) and other good and valuable consideration paid to us by said Assignee, receipt whereof we hereby acknowledge, we do hereby assign, sell, transfer, and set over unto said Assignee the entire right, title, and interest in and to said application and the apparatus, inventions, discoveries and improvements therein disclosed for the United States and all foreign countries and any Letters Patent which may issue therefor in the United States and all foreign countries and all divisions, reissues, continuations, renewals, and/or extensions thereof, including all priority rights under the International Convention associated therewith for each country and the United States, said Assignee to have and to hold the interests herein assigned to the full ends of the terms of said Letters Patent and any and all divisions, reissues, continuations, renewals, and/or extensions thereof, respectively, as fully and entirely as the same would have been held and enjoyed by us had this Assignment not been made.

The Commissioner of Patents and Trademark is requested to issue such Letters Patent in accordance herewith. We covenant that we are the lawful owners of the said application, apparatus, inventions, discoveries and improvements, that the same are unencumbered, that no license has been granted to make, use, or vend the said apparatus, inventions, discoveries or improvements or any of them, and that we have the full right to make this Assignment.

And for said consideration, we agree jointly and individually that we will communicate to said Assignee or the representatives thereof any facts known to us respecting said apparatus, inventions, discoveries and improvements, and will, upon request, but without expense to us, testify in any legal proceedings, sign all lawful papers, execute all divisional, reissue, continuation, renewal, and/or extension applications, make all rightful oaths, and generally do all other and further lawful acts, deemed necessary or expedient by said Assignee or by counsel for said Assignee, to assist or enable said Assignee to obtain and enforce full benefits from the rights and interests herein assigned, and, in the event of any application or Letters Patent assigned herein becoming involved in Interference, to cooperate to the best of the ability of the

undersigned in the matters of preparing and executing the preliminary statement and giving and producing evidence in support thereof. This Assignment shall be binding upon our heirs, executors, administrators, and/or assigns, and shall inure to the benefit of the heirs, executors, administrators, successors, and/or assigns, as the case may be, of said Assignee.

And for said consideration, the undersigned hereby agrees to execute, at the request of said Assignee, all documents in connection with any application for foreign letters patent therefor.

Executed: $\frac{1/q}{2003}$	All Sal Jr.
Executed: 1.9-3	Charles W. Gardner, Jr.
Executed: /- 9- 03	John S Maier 7 All
Executed: 1/9/03	Matthew P. Nelson Robert C Schwater
Executed: 1/14/03	Robert & Schweitzer  At J
Executed: <u>/- 9-03</u>	Patrick J. Treado
	G. Steven Vanni
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	CHARLES W. GARDN		_	-		
	foregoing Assignment ar	nd acknowledged it	to be his fre	ee and volunt	ary act and deed	
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	Before me, a Nota	ary Public in and fo	r the said C	ounty and St	ate, personally a	ppeared.
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State of Kennsylvama				
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Before me, a Notary Pu ROBERT C. SCHWEITZER, v foregoing Assignment and ackn	vho acknowledge	d that he is the person	who executed th	-
Witness my hand and ne	otarial seal this	ay of Janu	lary	, 20 <i>03</i> .
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Before me, a Notary Pul PATRICK J. TREADO, who ac Assignment and acknowledged	knowledged that l	he is the person who e	executed the fore	-
Witness my hand and no	tarial seal this 1	4th day of Jane	eary	, 20 <u>03</u> .
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Before me, a Notary Pub STEVEN VANNI, who acknow Assignment and acknowledged in	ledged that he is t	he person who execute	ed the foregoing	•
Witness my hand and no	tarial seal this 9	day of Janu	lary	, 20 <u>03</u> .
(Notarial Seal)		Bothany C	Rallor	<u>~</u>
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	Notarial Bethany R. Alborn, City of Pittsburgh, A	Notary Public Ilogheny County		
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State of Rennoylvania
County of allegheny ss:
County of the co
Before me, a Notary Public in and for the said County and State, personally appeared,
JULIANE WOLFE, who acknowledged that she is the person who executed the foregoing
Assignment and acknowledged it to be her free and voluntary act and deed.

Witness my hand and notarial seal this 9th day of January

(Notarial Seal)

Notary Public

Notarial Scal
Bethany R. Alborn, Notary Public
City of Pittsburgh, Allegheny County
My Commission Expires Aug. 21, 2006

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Gardner, Jr. et al.

Serial No.: 10/339,807

Filed: 01/10/2003

For: METHOD FOR DETECTION OF PATHOGENIC MICROORGANISMS

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

## POWER OF ATTORNEY

The undersigned, an authorized representative of Assignee, Chemimage, Inc., in the above-identified patent application, revokes all powers of attorney previously granted, and appoints the following persons as his new attorneys, with full power of revocation and substitution, to act in his behalf in all matters affecting the above-identified patent application.

The undersigned hereby appoints the practitioners of Customer No. 000041396, namely, Samuel W. Apicelli, Registration No. 36,427; Arthur L. Plevy, Registration No. 24,277; L. Lawton Rogers, III, Registration No. 24,302; Lewis F. Gould, Jr., Registration No. 25,057; William H. Murray, Registration No. 27,218; Stephan P. Gribok, Registration No. 29,643; Peter J. Cronk, Registration No. 32,021; Richard Redano, Registration No. 32,292; Robert E. Rosenthal, Registration No. 33,450; Richard A. Paikoff, Registration No. 34,892; Steven E. Koffs, Registration No. 37,163; Paul A. Schwarz, Registration No. 37,577; Gail A. Dalickas, Registration No. 40,979; Darlus C. Gambino, Registration No. 41,472; Carl A. Giordano, Registration No. 41,780; D.

Docket No.: E2079-00005



**ピーロン/回ろ** 

Joseph English, Registration No. 42,514; Edward J. Howard, Registration No. 42,670; Gary Maze, Registration No. 42,851; Patrick D. McPherson, Registration No. 46,255; Mark C. Comtois, Registration No. 46,285; Melanle Goddard, Registration No. 46,732; Joseph Powers, Registration No. 47,006; Patrick C. Muldoon, Registration No. 47,343; and William J. Kauffman, Registration No. 55,319; as his attorneys to prosecute this application for patent, with full power of substitution and revocation to amend or otherwise act relative to him as they may deem advisable, to transact all business in the Patent and Trademark Office in connection therewith and generally to do all matters and things needful in the premises and to receive the Letters Patent.

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